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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR     | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/080,437      | 02/21/2002  | Francis James Canova JR. | 25216-0906          | 9150             |

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| EXAMINER |
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DATSKOVSKIY, MICHAEL V

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2835

DATE MAILED: 08/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n No.

10/080,437

Applicant(s)

CANOVA ET AL.

Examin r

Michael Datskovsky

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-9, 11-19, 21-29 and 31-39 is/are rejected.
- 7) ☐ Claim(s) 10, 20, 30 and 40 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 11-16, 21-26 and 31-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al.

Kim et al teach a hand held computer 124, Fig. 14, comprising: a housing having a midframe, the midframe forming part of an exterior of the housing, the midframe having a first, 200 and a second, 202 accessory slots associated with a left and right sides of the midframe, respectively, the first and second accessory slots being substantially cylindrical, elongate and capable of receiving and accommodating at least one removable accessory device – stylus and cover 100; a front shell coupled to a front side of the midframe; and a back shell coupled to a back side of the midframe. Kim et al teach furthermore: said first and second accessory slots partially enclose the accessory device along a length of the accessory device, and a portion of the accessory device is exposed to an exterior of the hand held computer along substantially the length of the accessory device; a bottom of the housing is flared out and acts as a stop for accessory

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devices inserted into the accessory slots. Regarding to the claims 31-36: The method steps are inherently necessitated by the device structure, as Kim et al disclose it.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-8, 17-18, 27-28 and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al in view of Ozawa.

Kim et al teach all the limitations of the claims except said hand held computer further comprises an external port in communication with the first accessory slot, said external port having at least one external port contact, and the stylus has a plurality of contacts, which connect to the external port contacts when the stylus device is inserted into the first accessory slot. Ozawa teaches a hand held computer 1, Fig. 11, comprising: a housing; an accessory slot 3, the slot being substantially cylindrical, elongate and capable of receiving and accommodating a removable accessory device – stylus 4, wherein said hand held computer further comprises an external port in communication with the accessory slot, said external port having a plurality of external port contacts 68, and the stylus has a plurality of contacts 42, which connect to the external port contacts 68 when the stylus device 4 is inserted into the accessory slot 5. It would have been obvious to one ordinary skilled in the art at the time invention was made to employ in the device by Kim et al a held computer comprising an external port in communication

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with an accessory slot, said external port having at least one external port contact, and a stylus having a plurality of contacts, which connect to the external port contacts when the stylus device is inserted into the accessory slot, as it is shown by Ozawa, in order to create an electrical contact between said computer and said stylus. Regarding to the claims 37-38: The method steps are inherently necessitated by the device structure, as Kim et al and Ozawa disclose it.

5. Claims 9, 19, 29 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al in view of Moller et al.

Kim et al teach all the limitations of the claims except said hand held computer accessory slots further each comprise a retaining device for retaining accessory devices. Moller et al teach a hand held computer comprising an accessory slot 26 having a retaining device 28 for retaining accessory device – stylus 12. It would have been obvious to one ordinary skilled in the art at the time invention was made to employ in the device by Kim et al a held computer comprising an accessory slots having each a retaining device for retaining accessory devices, as it is shown by Moller et al, in order to prevent said accessory devices for being lost. Regarding to the claim 39: The method steps are inherently necessitated by the device structure, as Kim et al and Moller et al disclose it.

***Allowable Subject Matter***

6. Claims 10, 20, 30 and 40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: said accessory devices each include a detent, which mates with a notch in the accessory slots.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Datskovsky whose telephone number is (703) 306-4535. The examiner can normally be reached on Mn - Fry 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren E. Schuberg can be reached on (703) 308-4815. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Patent Examiner

Michael Datskovsky

A handwritten signature in cursive script, appearing to read "Michael Datskovsky", written in black ink.

August 11, 2003